

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**MEMORANDUM**

Case No. CV 11-6204 DSF (AGRx)

Date 8/9/11

Title Financial Consulting and Trading Int'l Inc. v. Frederick P. Wich, et al.

Present: The  
Honorable

DALE S. FISCHER, United States District Judge

Debra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:** (In Chambers) Order REMANDING Case to Superior Court and  
Order to Show Cause re Sanctions

On July 12, 2011, this Court remanded this case – under case number CV 11-5285 – for failure to establish subject matter jurisdiction. On July 27, 2011, Defendants removed the case a second time on the same grounds as the original removal by filing an “Amended Notice of Removal.” This “Amended Notice” was filed as a separate case, assigned to a new judge, and no Notice of Related Case was filed to associate it with the CV 11-5285 case.

“Once a district court certifies a remand order to state court it is divested of jurisdiction and can take no further action on the case.” Seedman v. United States Dist. Court for Cent. Dist. of Cal., 837 F.2d 413, 414 (9th Cir.1988). “[A] second removal petition based on the same grounds does not ‘reinvest’ the court’s jurisdiction.” Id. A second removal is only permissible when it is made on new grounds arising from subsequent pleadings or events. See Peabody v. Maud Van Cortland Hill Schroll Trust, 892 F.2d 772, 776 (9th Cir. 1989).

The case is REMANDED to the Superior Court of California, County of Los Angeles. Defendants’ counsel are ordered to show cause in writing why they should not be sanctioned for failure to file a Notice of Related Case. The response is due August 12, 2011 with a paper chambers copy delivered to chambers.

IT IS SO ORDERED.